

JOEL M. SMITH.

[To accompany Bill H. R. No. 421.]

MARCH 23, 1860.

Mr. WALTON, from the Committee on Claims, made the following

REPORT.

The Committee on Claims, to whom was referred the petition of Joel M. Smith, have considered the same, and report :

That the claimant served as agent for paying pensions at Nashville, Tennessee, from January 1, 1840, to February 20, 1847, and for that service has received no compensation. He asks a commission of three per centum on the amount disbursed.

The act of April 20, 1836, authorized the Secretary of War to select "persons or corporations" as agents for paying pensions, but provided that "no compensation or allowance shall be made to such persons or corporations for making such payments, without authority of law." In the case of corporations which might use the government funds for banking purposes, compensation may well be refused under that act, while persons disconnected from banks would have a just claim; and it is presumed that for this reason, after the banks ceased to be places of deposit and disbursement of public money, the act of February 20, 1847, provided a commission of two per centum on moneys disbursed by pension agents, as a compensation for their services. The claim of Mr. Smith falls within this principle, and he is clearly entitled to reasonable compensation. The committee therefore report a bill for his relief, reducing his claim to two per centum, which is the commission now allowed by law for the same service. Congress has made the same allowance to other agents, the last being at the 1st session of the 35th Congress, to the legal representatives of Daniel Hay, in which case interest was allowed from the date of the petition. Your committee do not allow interest on this claim.

